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10962 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11046 U.S. PTO
09/848664
05/03/01

Applicants: Shelly E. Sakiyama-Elbert and Jeffrey A. Hubbell

Serial No.: CON of 09/298,084

Express Mail Label
No.: EL 717 750 047 US

Filed: May 3, 2001

Date of Deposit: May 3, 2001

For: CONTROLLED RELEASE OF NON-HEPARIN BINDING GROWTH
FACTORS FROM HEPARIN CONTAINING MATRICES

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR FILING A
CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

This is a Request for Filing a Continuation Application Under 37 C.F.R.
§ 1.53(b), of pending prior application Serial No. 09/298,084, filed April 22, 1999, by
Shelly E. Sakiyama-Elbert and Jeffrey A. Hubbell, for "Controlled Release Of Non-
Heparin Binding Growth Factors From Heparin Containing Matrices".

The application includes 1 page of abstract, 28 pages of specification, 8 pages of
claims, 3 pages of informal drawings, and a copy of the executed Declaration for Patent
Application from prior application U.S. Serial Number 09/298,084.

The attorney of record in the prior application was changed to Patrea L. Pabst,
Registration No. 31,284. Please address all future correspondence to:

Patrea L. Pabst
Holland and Knight LLP
One Atlantic Center, Suite 2000
Atlanta, GA 30309-3400

(404) 881-0471
(404) 817-8473 (fax)
email: ppabst@hklaw.com

A Preliminary Amendment is enclosed. Please amend the application in
accordance with the Preliminary Amendment.

Applicant hereby requests that the computer readable form of the Sequence
Listing submitted in U.S. Serial No. 09/298,084, filed April 22, 1999 be used in the
above-identified application. The computer readable form to be used was mailed in U.S.
Serial No. 09/298,084 on September 29, 2000. The material on the diskette submitted in
U.S. Serial No. 09/298,084 is identical to the paper copy of the Sequence Listing
submitted in the above-identified application, and the Sequence Listing does not add new
matter to the application.

This application is entitled to claim small entity status pursuant to 37 C.F.R.
§ 1.27.

A check in the amount of \$355.00 is enclosed to cover the filing fee for a small
entity. It is believed that \$355.00 is the proper filing fee, as the application contains
3 independent claims and a total of 20 claims upon entry of the enclosed Preliminary

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Amendment. A check in the amount of \$55.00 is also enclosed to cover the fee for a one month extension of time in the parent application, U.S. Serial No. 09/298,084. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-1667. A duplicate of this request is enclosed to facilitate this purpose.

This application is being filed on May 3, 2001, by mailing the application to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231, via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express Mail label number appears in the heading of this paper, which is attached to the application, pursuant to 37 C.F.R. § 1.10(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of

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Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,




Patrea L. Pabst
Reg. No. 31,284

Date: May 3, 2001
HOLLAND & KNIGHT LLP
One Atlantic Center, Suite 2000
1201 West Peachtree Street, N.E.
Atlanta, Georgia 30309-3400
(404) 817-8473
(404) 881-0470 (fax)

CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 1.10

I hereby certify that this Request for Filing a Continuation Application Under 37 C.F.R. § 1.53(b), and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, May 3, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label No. EL 717 750 047 US addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.


Patrea L. Pabst

Date: May 3, 2001

